

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PRINCE D. KEY,

Plaintiff,

v.

ORDER

ROBERT SHANNON, JOSEPH CICHANOWICZ,
JOSHUA KOLBO, and GARY BOUGHTON,

17-cv-521-jdp

Defendants.

Plaintiff Prince D. Key, an inmate at the Wisconsin Secure Program Facility, alleges that defendant prison officials violated his rights by failing to provide him with his medications four times. Key brings claims under the First, Eighth, and Fourteenth Amendments and under a Wisconsin-law negligence theory. Key filed a motion for partial summary judgment on his Eighth Amendment claims, which I denied in a February 7, 2019 order. Dkt. 31.

Key has filed a motion for reconsideration of that decision. Dkt. 32. Key says that the undisputed facts show that defendant Robert Shannon acted with deliberate indifference toward his medical needs when he refused to give him medication four times. But I denied Key's summary judgment motion because, for each of the four incidents, there is indeed either a genuine dispute of material fact over what happened, or just as important, why Shannon took the actions he did. For three of the four incidents, defendants say that Shannon did give Key his medication. *Id.* at 8. For the fourth incident, there is a dispute over whether Shannon appropriately denied Key his medication because Key failed to confirm through the intercom that he wanted it, or whether Shannon negligently violated prison rules by denying Key his medication. *Id.* at 7. These are all issues that cannot be resolved at summary judgment. So I will deny Key's motion for reconsideration.

ORDER

IT IS ORDERED that plaintiff Prince D. Key's motion for reconsideration, Dkt. 32, is
DENIED.

Entered February 14, 2019.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge